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## CHAPTER III

### THE FORENSIC PHASE OF LITIGIOUS PARANOIA

MAUDSLEY<sup>1</sup> has long ago said: "It would certainly be vastly convenient and would save a world of trouble if it were possible to draw a hard and fast line and to declare that all persons who were on one side of it must be sane and all persons who were on the other side of it must be insane. But a very little consideration will show how vain it is to attempt to make such a division. That nature makes no leaps, but passes from one complexion to its opposite by a gradation so gentle that one shades imperceptibly into another and no one can fix positively the point of transition, is a sufficiently trite observation. Nowhere is this more true than in respect of sanity and insanity; it is unavoidable, therefore, that doubts, disputes and perplexities should arise in dealing with particular cases."

No small amount of the disrepute into which expert medical testimony has fallen is due precisely to a failure on the part of the legal profession to appreciate these truisms. To the legal mind the transition from mental well-being to mental disease is exemplified by that wholly artificial, and to the psychiatrist's mind, subsidiary question of legal certification. The law takes no cognizance of the conditions necessitating this change; it only concerns itself with the delimiting

frontier, viz.: — certification. Legally, the insane has become such through the filling out and signing of certain papers and through having submitted himself to a certain prescribed legal procedure. The physician, on the other hand, because of his peculiar relationship to the patient, and as a result of his particular training, looks upon this legal procedure as a necessary evil and merely as typifying the conventional mode by which society settles its accounts with its diseased members. Our legal brethren fail to appreciate, furthermore, the fact that an individual may be very seriously ill mentally and urgently require hospital treatment, without, however, showing those gross disorders of conduct which go to make up the legal evidence and diagnosis of insanity. Neither do they seem to recognize the possibility of a seriously unbalanced individual making quite a normal impression, at any rate before a jury of laymen at the time of his appearance in Court. Nowhere in psychiatry is this so apt to be the case as in that form of mental disease known as paranoia, where we are dealing with a diseased personality which in many respects still approaches and resembles normal man.

The paranoiac, while he may harbor the most intricate and well-organized system of delusions, still remains approachable to us, and intellectually may be not only on a par with the average normal individual, but not infrequently gives the impression of being his superior. Nevertheless, this usually well-endowed human being at a certain point in his career goes off at a tangent and spends the rest of his life in the pursuit of a phantom. The paranoiac, starting out with vague, ill-defined ideas, succeeds in elaborating, step by step, a well-organized system of thought, of ideas which finally

assume an all importance in the conduct of his life and remain unshakable.

Kraepelin<sup>2</sup> defines this condition as a mental disorder which is essentially characterized by a gradual and systematic evolution of a well-organized and intricate system of persecutory and grandiose delusions. It is chronic and incurable in its course and does not lead to any appreciable deterioration in the intellectual sphere. The litigious form of this disorder is particularly characterized by a persistent and unyielding tendency toward litigious pursuits. It is for this reason that this form of paranoia is of particular interest forensically. The law is the tool with which these individuals work, and the Courts their battlegrounds. The least provocation suffices to start the stone rolling, launching the unfortunate upon a career of endless litigation. As a rule the disorder originates in connection with some adverse decision or order of the authorities, which the patient considers an unjust one. Whether injustice has actually been suffered by the patient matters not and remains absolutely of no consequence as far as the course of the disease is concerned. The paranoiac litigant is unable to see the law as others see it, and in this respect he does not differ greatly from primitive man, whose conception of legality is that of a collection of concessions for himself and prohibitions for others. To be sure, a tendency to excessive litigation is occasionally met with in what appear to be normal people. Such pursuits, however, become pathological when they are based upon a delusional interpretation of actual occurrences or upon actual delusions, and are not amenable to reason.

According to Tanzi<sup>3</sup> the theme underlying the delu-

sional system of litigious paranoiacs is avarice, and the whole may be looked upon as the slow and permanent triumph of a preconception. "The paranoiacal preconception gradually conquers all evidence to the contrary, and in spite of reality, public opinion and common sense, it becomes organized into a coördinated system of errors which become the tyrants of the intellectual personality and remove it by degrees outside the bounds of normality." The litigant constantly busies himself with his grievances, loses all interest in everything else, and begins to fight for his rights. He stops at no means and is the bane of judges and court officials. Naturally, he has to be refused all aid, either because he is unjust or because the courts find no remedy for his troubles. He refuses to settle actual grievances, carries the case from one court to another and finally develops an insatiable desire to fight to the bitter end. The statutes appear to him inadequate and even the fundamental principles of law fail him. He cannot abide by the ultimate decision after all the usual means of justice have been exhausted. In his attempts to gain justice he writes to magistrates, legislators and various other people in prominence. It is only after years of persistent misfortune both to himself and the objects of his delusions, which only serve to harden him against his fortunate opponents, his incapable lawyers, the corrupt judges and his ignorant and craven-hearted relatives, that this master of procedure is betrayed into the expression of threats or the commitment of some other offense which conveys him summarily from the civil to the criminal courts, and the unrepentant pursuer becomes the defendant, unless, indeed, the insane asylum has become his refuge. (Tanzi.)

This is precisely what happened with the patients whose histories are here recorded. With all this the paranoiac remains plausible, converses rationally and coherently, shows himself to be exceedingly well-informed on current events, amazes his listeners with his really wonderful memory and his ability to quote *ad infinitum* from law books and statutes. Absence of hallucinations is the rule. Memory and the capacity to acquire new knowledge remain intact, and reasoning and judgment on matters of everyday life which do not touch his more or less circumscribed delusional field may remain quite normal. In short, he shows none of those tangible signs and symptoms upon which we must so frequently rely in our efforts to convince a jury of laymen of the existence of mental disorder. It is only when we take into consideration the entire life history of a paranoiac, which unfortunately is frequently ruled out as hearsay evidence, that the real state of affairs becomes manifest. We then see that where it concerns his delusional field the paranoiac's judgment is formed, not as a result of observation, or logic and reasoning, but as a result of an emotion, a mere feeling that this or that proposition is true. In every adverse decision of the court he sees a deep-laid conspiracy to deprive him of his rights. His lawyers are incompetent and in collusion with his persecutors; the judge is corrupt or ignorant of the law, and the legislators negligent in their duties in not writing into the statutes laws which would take care of his grievance. He constantly harps upon what he calls "the principle of the thing", losing, gradually, all concern in the real issues involved.

Indeed, in watching the amount of attention a paranoiac bestows upon his grievances, the zest with

which he takes up every newly discovered flaw in the law, and the dexterity with which he weaves it into the maze of his delusional system, the idea forces itself upon one's mind that what the paranoiac least desires is a settlement of his grievances. One can readily imagine the void in the unfortunate's life were he to be deprived of this all-engrossing, and to him really life-giving, *casus belli*. Thus, not infrequently, when one grievance is actually settled, another soon appears and assumes the center of the stage. The means these individuals use in their efforts to convince the authorities of the righteousness of their cause or of the genuineness of the persecutions to which they are subjected, are really amazing in their ingenuity. They are supported to a considerable extent by retrospective falsifications of memory, and when occasion arises, by a conscious distortion of facts, and prevarication, a point very justly emphasized by Bischoff.<sup>4</sup>

This author relates the case of a paranoiac woman who was in litigation with her father over some trifling inheritance left by her mother, and who accused her father of a murder, and insinuated that she had heard her grandfather call him a fratricide.

The reputation and character of the objects of their delusions are unsparingly attacked by the paranoiac litigant, and this not infrequently results in bringing matters to a head, where as defendant in a criminal suit for libel the paranoiac is recognized in his true light and sent to a hospital for the insane. Before, however, this final scene in the litigious career is enacted, especially where the persecuted has turned persecutor, the objects of his delusions have not infrequently suffered an untold amount of anguish and financial ruin, through having been obliged to play the part of

defendants in civil suits based on nothing else but the distorted fancy of a diseased mind.

While one may readily detect the part played by avarice in the pursuits and activities of these individuals, it requires close contact with them, especially in the capacity of one who stands between them and freedom, in order to fully appreciate the degree of malevolence which they frequently exhibit. Indeed, the study of litigious paranoia, more than anything else, illustrates how much method there may really be in madness. Were an alleged lunatic standing as a defendant in a criminal suit to use one-tenth of the amount of ingenuity and conscious direction of his symptoms that the average paranoiac uses, he would furnish the champions of the idea of malingering of mental disease with enough material to convict a dozen lunatics.

The chief aim of this paper is to illustrate by means of two interesting case histories the forensic importance of this form of mental disorder. It is not intended, however, to enter here into an academic discussion of the problem of paranoia. The term "Paranoia" is even pre-Hippocratic, and any attempt to indicate, even in the briefest manner, the changes which this concept has undergone throughout the ages would require considerably more space than we have at our disposal. I shall, therefore, merely mention that in reviewing the history of paranoia one is unmistakably struck by the fact that those view points and ideas concerning this subject which have indelibly impressed themselves upon it occupy themselves with a study of the personality of the paranoiac rather than with the disease picture as such. Some of the investigators have gone so far as to maintain that paranoia is not



a disease at all in the sense that typhoid fever is a disease or pneumonia is a disease, but that the paranoiac picture is rather the expression of an anomalous individuality and, as one author puts it, it is the evolution of a crooked stick. Sander<sup>5</sup> recognized this when he so admirably stated that the abnormal condition develops and unfolds itself in the same way that the normal mind unfolds itself in the normal individual.

The cases herein reported have been under my observation now for several years at the Government Hospital for the Insane, and I am indebted for permission to report them to Dr. William A. White, Superintendent of the Hospital.

CASE I is a white man, aged 64 on his first admission to the Government Hospital for the Insane, July 9, 1907. This commitment was the direct outcome of a trial for perjury which took place in May, 1906, in the Supreme Court of the District of Columbia, at which the patient was found guilty. While awaiting sentence he was adjudged insane and sent to this Hospital. The evidence was gathered from the Reports of the Maryland Court of Appeals, dating as far back as 1874, and forms only an incomplete account of the patient's legal activities, inasmuch as many of his law transactions never reached the higher courts and consequently are not reported. In setting aside 1,296 magistrate's judgments obtained by the patient and amounting in the aggregate to \$127,836 debt and \$2,348 costs, the Court states, among other things, as follows: —

“The gross iniquity of this whole transaction, manifest enough upon its face, is abundantly so by proof. The inference is irresistible that the magistrate who issued these judgments merely wrote them out on his docket without

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summoning witnesses and without the semblance even of an *ex parte* trial."

It was further brought out at the perjury trial in 1906 that in 1877 the patient had obtained 619 judgments against the A. E. Company, aggregating approximately \$50,000. These were likewise set aside by the higher Court. We thus see that as far back as 1874 this king of litigants had already had set aside by the higher Courts as many as some 1,900 distinct and separate judgments. How many more of those based on the same flimsy tissue of his distorted imagination he actually realized on is not known. As far as can be ascertained, the issue of insanity was never raised, at any rate by the Court, prior to the perjury trial, and it was only when this master litigant, after having been active as a complainant for a great number of years, at last betrayed himself into committing a criminal offense that the issue of insanity was brought up.

A prominent Maryland Judge, who had known X— for over forty years, had the following to say concerning him: — "I have known X— for forty years, and he is a general nuisance and menace; he is crazy on getting money, and for years has been manufacturing bogus judgments against citizens of this and Montgomery Counties and the A. E. Company. At one time he held judgments against that Company for a million dollars for an imaginary wrong, all of which were eventually gotten rid of on the ground that they were fraudulent. He also, in some fraudulent way obtained judgments against our County Commissioners, without their knowledge, for \$1,500, which were impounded by Judge M— of the United States Court at B—, where as a then non-resident he brought suit to recover on them. He then went down to Dickinson County, a remote section of Southwestern Virginia, and obtained other judgments for some four or five million dollars against the County and

various citizens, which were obtained by perjury and forgery. They were eventually set aside. His brother died in 1907, and I became one of the sureties on the executor's bond; last year a judgment turned up here against the executor and his sureties for \$17,000, which purported to have been given by the Circuit Court for said D— County. It was a forgery all the way through; even the Seal of the Court to the certificate was a forgery. I wrote the Judge of the Court and he answered very promptly, stating that no such suit had ever been entered and that the judgment was a myth. We succeeded in impounding this judgment. No one up here feels safe when X— is at large. We have suffered a great deal of trouble and expense in trying to protect ourselves against him, and everybody regards him as being not only insane but also a very dangerous man.”

On admission to the Government Hospital for the Insane, July 9, 1907, he was found to be a fairly well-preserved man for his age, entered freely into conversation, comprehending readily what was said to him and exhibiting no difficulty in elaborating his ideas. He talked in a slow, deliberate and rather mysterious manner and a low tone of voice. The family history as given by him was negative. He himself had the usual diseases of childhood, but, aside from chronic indigestion, had had no severe illness. He gave his occupation as that of physician. In 1862 he enlisted in the Union Army as a nurse and was discharged six months later; claims that in 1865 he graduated in medicine from the University of Maryland, which profession he practiced at W— until 1881. He then moved to Ohio, because, he says, he could endure no longer the persecution of a good many enemies which he had made on account of his service in the Union Army. In Ohio, he states, he engaged in the manufacture of proprietary medicines and claims to have sold out his business sometime later for \$50,000.

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Some idea of the patient's daily conduct may be had from the statements of his landlady, with whom he lived for a considerable time.

It seems that he occupied a room on the top floor, which he would allow no one to enter. If anyone rapped on the door he would open it very slightly and cautiously, conducting conversation through a crack in the door. He led the life of a hermit, living in absolute seclusion, cooking his own meals in his room. After he was removed to the Hospital this room was entered and newspapers were found piled as high as the ceiling; many of the articles in them were underscored, and numerous clippings were pasted on doors and windows as well as on walls; everything was covered with dirt and dust, and the cooking utensils were strewn all over the room. This lady said that during his stay there he was always very suspicious, kept the blinds drawn, and seemed to be constantly afraid that something was going to happen.

Examination of the patient soon after admission revealed a well-organized and very extensive delusional system, which, according to his story, apparently had its inception during the Civil War. It seems that he had caused the apprehension and execution of a Confederate spy, and ever since then, he states, the relatives and friends of this man have been persecuting him. In 1889 he was granted a pension of \$25 per month, but he did not think that this was a fair deal inasmuch as he was not a nurse, but a physician, and should receive at least a hundred dollars per month. He states that he came originally to Washington to have this matter straightened out, but on account of his enemies was unsuccessful. His worst persecutions he believed to have been instigated by the A. E. Company because he had judgment against this Company for about \$50,000. He stated that this was obtained in a damage suit which he brought against this Company because they wanted to charge him

expressage of something like 40¢ on a prepaid package. Following this damage suit, the Express Company's agents, especially members of the R. family, have been spying on him and persecuting him; he finally sued a member of this R. family and obtained judgment against him in the Circuit Court of Virginia for \$9,000. When asked to explain how he figures out these exact amounts of damage, he is ready with a thousand plausible reasons why the amounts were as he gives them. He was finally charged with perjury, found guilty, and while awaiting sentence was adjudged by a jury to be of unsound mind and sent to the Government Hospital for the Insane.

He believes that members of this R. family were behind this because they were afraid that the patient would collect on his judgments, which by this time, amounted to something like \$20,000, and which, as he put it, "were good, valid and subsisting, not reversed or otherwise vacated."

During his sojourn in the Government Hospital for the Insane, he was always very suspicious and seclusive, keeping to his room practically all the time and aloof from the other patients in the ward. He adhered very tenaciously to his delusional system and believed himself fully justified in all his litigious pursuits. With all this he was clear and coherent in conversation, his memory was quite well-preserved, and he had no difficulty in keeping himself fully informed on current events. Aside from the very evident caution and very profound suspicious attitude which he manifested during a conversation, he made no abnormal impression.

In October, 1908, he was paroled by a Justice of the District of Columbia Supreme Court to his brother's care in Ohio; and patient's reasons for this parole are interesting: He states that he was told by the District Attorney that he would be paroled if he were to go to Ohio and vote for

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President Taft. This he says he did, believing he had carried out the terms of his parole, promptly returned to Washington and resumed his former activities. The first thing he did upon his return was to have the following two bills introduced in Congress, both of which are wholly based on his delusional ideas:—

“H. R. Bill xxxx, January 11, 1910. Mr. A. introduced the following bill, which was referred to the Committee on Military Affairs and returned to be printed:—A bill to correct the military record of X—. Be it enacted in the Senate and House of Representatives of the United States of America, in Congress Assembled, that the Secretary of War be and is hereby authorized and directed to correct and amend the military record of X—, late assistant surgeon instead of nurse, so as to read: X—, Assistant Surgeon of the United States Army, on the 12th day of April, 1863, and to place the name of X— upon the retired list of the United States Army as Assistant Surgeon.”

The second bill was as follows:—

“Senate Bill xxx. Referred to the Committee on Claims. A bill for the relief of X—. Be it enacted by the Senate and House of Representatives of the United States of America, in Congress Assembled, that the Secretary of the Treasury be and he is hereby authorized to pay out of any money in the Treasury, not otherwise appropriated, to X—, formerly a resident of W., in the State of Maryland, the sum of \$45,600, being the amount of the loss sustained by said X—in property and business while he was performing important service for the Government in the year 1863, and in recognition of valuable service rendered the United States, and compensation for loss resulting from his causing the arrest of a Confederate Spy, at the opening of the Gettysburg campaign, thereby defeating the Confederate plan to capture the two thousand or more government wagons loaded

with the munitions of war of the Union Army, which sum shall be in full of all claims and demands upon the part of said X— against the Government of the United States by reason of the premises.”

The patient was soon apprehended and returned to the Government Hospital for the Insane, where he is at present.

In an extremely interesting brief of his case, prepared by the patient himself, which, unfortunately, is too lengthy to be given in its entirety here, he states, among other things:—

“I was indicted on the 2nd of April, 1906, by the grand jury of said court, for perjury; the grand jury was about to adjourn, as they had no evidence upon which to indict me, but they were called back to do so in order to please the A. E. Company. The grand jury was authorized to indict me in order to please the A. E. Company, as I was later told by several members of that jury. I have also been told by numerous detectives that they were hired by the A. E. Company to watch me.” He continues in his brief:— “I was kept in jail until the eve of the 13th of February, 1905, when the jail doors were suddenly thrown open and I was told to go home, the same as the circumstances related in the Bible concerning St. Paul and Silas, who were in prison and during the night their chains fell off, the prison doors opened and they were set free by the hand of God. I believe the same thing happened to me; I was released by the hand of God.”

He further states:— “There are more than 17,000 newspapers in the United States, and these people had it printed in 10,000 of them that I had committed perjury. I sued them for slander, and a more just and upright case or grievance for bringing suit could never be found.”

Attention might be called here to the grandiose phase of his disorder. His was no common slander; it was pub-

lished in 10,000 newspapers. Neither was his release from prison an ordinary every-day occurrence, but resembled the Biblical episode of St. Paul's release from prison. Later on, when through advancing years his intellect is becoming more and more enfeebled, he expresses his grandiose ideas in a more direct and naive manner. He tells the physician that he knows the law better than any living authority; that none of the so-called judges around town can compare with him; that he has made a brief of a case which could not be duplicated by anyone. He is likewise the greatest physician, and he will prove this when he gets to court. At this writing he is beginning to show evidence of senile deterioration and is no longer the keen manipulator of the law of years ago. He endeavors now to gain his ends by more direct and extremely puerile and childish methods. To illustrate: — His physician had left the institution about a year ago, and soon afterwards X— produced an affidavit purporting to have been made by this physician in which he set forth that X— was sound mentally; that this physician came to this conclusion after a thorough examination of X—, etc., etc. Upon the physician's return to the Hospital X— was asked concerning this by him, but he stolidly maintained that it was genuine and given him by the questioner. This famous litigant has reached a stage where things simply are as he wants them to be. Whether this poor derelict will be permitted by his deluded or unscrupulous attorneys to end his days in peace at the Hospital, time alone will tell. Thus far his lunacy case has been carried by them to the Court of Appeals.

CASE II. — Y. was found guilty of libel in the Criminal Court of the District of Columbia, and while awaiting sentence was adjudged insane by a jury and admitted to the Government Hospital for the Insane, June 22, 1911, at the



age of 56. Y. is an attorney by profession, comes from a prominent family in Ohio, and has received an excellent education. According to information obtained from his father and sister, it appears that one sister and a nephew are insane; that the patient himself has been considered insane by members of his immediate family since 1889, when, as the result of a court-martial for disobedience, he was discharged from the Navy, where he then held the grade of ensign. Immediately following this discharge he took up the study of law and began to specialize in maritime affairs, handling almost exclusively sailors' grievances against the Navy Department. He spent a great deal of time working up these cases, occasionally writing contributions to the *Maritime Register*, for which publication he was a regular correspondent for several years. In these papers he would constantly harp on the irregularities and illegalities of many of the government affairs. At home he always acted in a peculiar manner, never had much to say to anyone, was unreasonable, fault-finding and complaining; he always wanted things his own way. Several years ago he came to live with his sister, accompanied by his wife and child. Although he paid nothing for board and lodging for the three, he complained about the food and had something to say in criticism for every little inconvenience. He would frequently leave town without saying a word to any member of his family, and would reappear just as suddenly. He kept to his room almost constantly, leaving same only for his meals. On one occasion he wrote his wife, who at the time was staying with her child at his sister's house, that she should watch this sister, as he feared she might try to poison the child. Sometime in 1910, he came to his home town, had an interview with the Judge of the Probate Court, and left town without visiting any of his relatives, although they lived only four squares distant. At that time

this Judge told the patient's father that he thought the patient was mentally unbalanced. He was always considered by his relatives as being of a morose disposition, vindictive and selfish. On a later visit to his parental home he acted very strangely about the house, disarranged things, kept the rooms in disorder, and was busy writing constantly. At this time he left home suddenly without taking leave of anyone. A few years ago, while home on a visit, he declared that his father was incompetent to manage his own affairs, instituted legal proceedings to have himself appointed committee for his father, petitioning the court on the ground of his father's insanity. In this, of course, he was defeated.

The patient himself states that he graduated from Annapolis in 1878, between which year and 1883 he travelled in Europe and South America as midshipman. In 1883 he entered the Cincinnati Law School, where he remained one year. After this he states he acted in the capacity of Judge Advocate General for a short time while on shore duty. He then went to sea again and finally resigned from the Navy in 1887, with the grade of ensign. (As has already been indicated above, the patient was dismissed from the Navy for disobedience and disrespect.) He then entered the practice of law in Cincinnati, at which he continued until his appointment to the Department of the Interior on June 1, 1904, at a salary of \$1,000 per annum. Here he remained until 1908 in the capacity of clerk, when he resigned, receiving at that time the same salary. He says he was moderately successful financially as a lawyer, and did a good deal of literary work. He is especially proud of a case which he conducted in the Court of Appeals, where he obtained a decision setting aside a Naval court-martial. He says that this is the only decision of its kind ever rendered, and on that account he is very proud of this. According to his own story, he was always moderate in his habits, and prior

to his marriage in November, 1902, he had never come in conflict with anyone. The latter part of this statement is contradicted by his relatives, who state that for more than twenty years past, the patient has exhibited an uncontrollable desire to sue people for all sorts of imaginary grievances, and that on this account he frequently came into serious conflicts. The patient is inclined to put all the blame for his difficulties to his wife, whom he describes with a great deal of rancor as the descendant of an insane and illegitimate grandfather and illy-favored mother. He thinks that his wife was slightly unbalanced, accuses her of being responsible for the death of their first child, and of various other misconduct. However, everything went tolerably well until April, 1906, when their second child was born. The doctor who attended Mrs. Y. during her confinement, a very prominent local physician, testified in open court at that time, that from his observation of the patient's acts he believed him to be insane. This, the patient said, precipitated a lot of trouble between him and his wife. He does not enter into details concerning the difficulties he had with the physician, but the details are extremely illuminating. It appears that the patient refused to pay this doctor's bill and was sued for the debt. At the time of the trial he gave as his defense the following two reasons why he should not pay this bill:—The first one was that inasmuch as this doctor lived in a part of the city which would necessitate the crossing of a railroad grade in order to reach the patient's house, and that on this account there was a possibility of his being detained at the crossing during an emergency call, he had no right to take the case in the first place, and therefore he was not entitled to payment. His second reason was that inasmuch as this doctor wore a beard, he carried more germs into the house than would otherwise have had access to it; therefore he should forfeit his fee. In 1907

his wife obtained a divorce on the grounds of cruelty and non-support, and was given the custody of the child; this had the effect of launching the patient upon a new series of litigation. His first retaliating measure was the abduction of the child, which brought about his indictment by a grand jury and subsequent arrest. The reason he gave for taking the child out of the District was that his wife lived in a house over an old abandoned cellar, and that it was therefore an unhealthy place for the child. Upon regaining his freedom he began to investigate the ground upon which the grand jury indicted him, and soon, he states, he discovered that the District Attorney's office committed a gigantic fraud by having maliciously misrepresented the case to the grand jury; this body, he says, was led to believe that the Ohio decree granting his wife the guardianship of the child held good in the District, whereas the law of the District specifically states that no extra-territorial decree should be recognized within the District. He further discovered that Mr. J., his wife's attorney, knowingly and maliciously became a party to this fraud, and he immediately proceeded to file charges of mal-practice against this attorney before the Grievance Committee of the District Bar Association. The result of this was that the patient was charged with libel in the Criminal Court. To his great surprise, he says, the Court recognized this charge and found him guilty of same. While awaiting sentence he was adjudged insane by a jury and committed to the Government Hospital for the Insane. He believes this commitment is the result of a deep-laid conspiracy on the part of the District Attorney's office and some of the District Judges. These officials, he believes, were afraid of him because at a hearing before a Senate Committee he started to expose their fraudulent conduct. The judges were prejudiced against him throughout, and it might be interesting to mention here that among the multitudinous

bills which he had proposed for enactment into law since in the Government Hospital for the Insane, there is one which is intended to abolish entirely the Courts of the District of Columbia, so that unfortunates like him might get a chance before unprejudiced judges. This deep conspiracy against him, he is convinced, dates as far back as 1906, when the Ohio Courts appointed his wife guardian of his child.

No great difficulty need be experienced in forming an opinion of this man's mental status after having followed his history thus far, but when we further read that, during his sojourn in the Government Hospital for the Insane, he has evinced the most persistent tendency to weave into his delusional system every important occurrence of local or even national interest, that he sees a clear relationship between his case and the recent change of administration, and is fully convinced that many important officials held over from the last administration owe considerable gratitude to him; when he is seen in his self-assumed most important rôle of the man of destiny, flooding Congress, the Courts and many high officials with petitions, charges, writs, and proposed investigations; when one sees the criminal code as transformed by him; then one begins to get a proper perspective of the grandiose phase of this man's mental disorder. It is impossible, of course, with the limited space at our disposal, to even give the briefest outline of his activities, but it might be stated that only within the past several months he has succeeded in very ingeniously getting his case before a considerable number of senators and congressmen and many other prominent officials. Among the bills which he proposes to have enacted into law, is one, as has been mentioned, to abolish entirely the Courts of the District of Columbia. Of course, courts which cannot administer justice, as he sees it, must be abolished.

On his admission to the Government Hospital for the

Insane, he really welcomed the procedure, stating that at last he had the opportunity to be under the supervision of a trained physician who would soon discover that he was absolutely sane and would render a report to that effect, thus vindicating him. Unfortunately for the physician, he did not see his way clear to render such a report, and Y's amiability soon changed into a very bitter antagonism towards the one who had immediate charge of him, showing a great deal of rancor in his attacks upon him, in spite of the fact that he has been accorded all sorts of privileges. He has, of course, by this time consigned many hospital officials to life imprisonment, and the amount of damages which he expects to collect from them and the Government runs into fabulous sums. He soon began to solicit the grievances of his fellow patients, establishing, so to speak, a law office in miniature upon the ward; and whereas formerly these patients in the criminal department merely aired their grievances as they saw them, they now accompany them with quotations from the statutes concerning these points furnished by this legal missionary. Soon, however, even the insane patients on his ward began to distrust him, and at the present time there is hardly an attendant or patient in the building who cares to associate with Y. He missed no opportunity of playing upon the credulity of the younger and less sophisticated attendants in the criminal building, at first begging and urging them to carry his petitions to their destination in a surreptitious manner, and finding this of no avail threatening them with fines and imprisonment as accomplices in this gigantic crime of keeping him confined in a hospital. When not out walking he keeps himself constantly busy making out documents, briefs, petitions, bills, etc. He is very seclusive, keeping himself aloof from the other patients, as he considers himself very much their superior.

Now this master litigant, this profoundly diseased man, succeeds in making quite a normal impression in a casual interview, and in his writings he frequently succeeds in conveying the idea of being quite normal. Each isolated fact looks plausible enough to the casual observer. He talks quite rationally, shows a remarkably well-preserved memory, has never exhibited hallucinations or those gross disorders of conduct which to the lay mind form the *sine qua non* of mental disease. It is only after a close study of the entire life history, of the many fine shades of deviation from the normal which this man exhibits, that one discovers that his mind is very seriously affected indeed, and that because of his plausibility he belongs to a rather dangerous type of mentally diseased individuals.

The chief aim of this paper has already been indicated, and we shall adhere to our original intention of rendering it as free from purely didactic considerations as is consistent with clearness. For this reason the case histories given above were considerably abbreviated and only such an account rendered as would suffice to convince even a layman that the two individuals in question are seriously affected mentally. Of this there should not be the slightest doubt in anyone's mind, neither should one encounter here any diagnostic difficulties. The only difficult point, and a point which may become of considerable forensic importance, is the exact estimation of the duration of the illness in each instance. From the available data at hand it would seem that in the case of X—, the disease had its inception in the episode during the late Civil War, though the possibility of retrospective falsification must be kept in mind; while Y seems to have been launched upon his litigious career by his dismissal

from the Navy. It is therefore but fair to assume that in both instances the disease has existed for a great number of years. Nevertheless, it was only when these individuals faced the bar as defendants in criminal suits that the disease was recognized in either case. One may readily see, therefore, how easily mental disease may remain undetected, especially if one neglects to take an inventory of the individual's past life. I have already alluded to the difficulty frequently experienced in having evidence of this nature accepted in a court of law, and here, it seems to me, is room for a good deal of reform in procedure. Thus far society's side of this problem has been chiefly emphasized; but what about these unfortunate derelicts, X— and Y? Both of them are at present confined in the criminal department of the Government Hospital for the Insane with criminal charges pending against them. Assuming that our contentions with respect to their mental status are correct, what possible justification is there to hold them responsible before the law for their acts? Nevertheless, the same sort of procedure is constantly taking place; individuals are being sent daily to hospitals for the insane, presumably for the purpose of giving them the best possible chance for recovery, the best modes of treatment, while at the same time the law persists in carrying them as individuals charged with crime, thus throwing many obstacles in the way of proper care and treatment. With many of these individuals the mere fact that there is still a criminal charge pending against them seems to act in a deleterious manner upon their mentality, while in the great majority of instances, owing to the fact that they must be carried as criminals, unusual precautions have to be resorted to both in their



confinement and in the matter of various privileges, thereby vitiating in a great measure all attempts at treatment.

These are some of the problems which present themselves from a study of life histories such as are here reported, a better mutual understanding concerning which between the lawyer and the physician would unquestionably tend to a more enlightened administration of the law.

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